

The below described is SIGNED.

Dated: December 10, 2004

Glen E. Clark

**GLEN E. CLARK
U.S. Bankruptcy Judge**



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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:) Bankruptcy No. 02-22906 GEC
SIMON TRANSPORTATION SERVICES INC.) (Chapter 11)
and DICK SIMON TRUCKING, INC.) [JOINTLY ADMINISTERED]
Debtors.) Judge Glen E. Clark

**ORDER APPROVING SETTLEMENT AGREEMENT BETWEEN THE COMMITTEE
OF UNSECURED CREDITORS AND FIRST UNION FOR ALLOWANCE OF
ADMINISTRATIVE EXPENSE PRIORITY CLAIM PURSUANT TO 11 U.S.C. §
503(b)(1)(A)**

The Official Committee of Unsecured Creditors (the "Committee"), filed a Motion to
Approve Stipulations for Allowance of Administrative Priority Expense Claims Pursuant to 11

U.S.C. § 503(b)(1)(A) (the “Motion”) on October 20, 2004. Hearing was scheduled for December 9, 2004. Copies of the Motion and Notice of the hearing and requirement for written response were filed and served on all parties in interest on October 20, 2004. No objections to the Motion were filed at or prior to the hearing.

The Court, having considered the Motion and the Stipulation underlying the Motion and for good cause appearing thereby, it is hereby

ORDERED that the Stipulation entered into between the Committee and First Union, as set forth in the Motion, is hereby approved;

IT IS FURTHER ORDERED that the Committee may pay First Union’s claim pursuant to the terms set forth in the Stipulation, which payment shall constitute full and complete satisfaction of any and all claims First Union may have against Debtors, the Estate, or the Committee.

DATED this ____ day of December, 2004.

BY THE COURT:

Glen E. Clark
Bankruptcy Court Judge